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CHARLES ELMORE CROPLEY
CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1937.

No. [redacted] 14

ALBERT BENJAMIN CHANDLER, Individually and as Governor of the Commonwealth of Kentucky, Et Al., - - - - - - - - - - Petitioners,

versus

JAMES E. WISE, and RAY B. MOSS, - - - - - - - - - Respondents.

BRIEF IN RESPONSE TO PETITION FOR WRIT OF CERTIORARI.

LAFON ALLEN,
OLDHAM CLARKE,
Attorneys for Respondents.

WESTERFIELD-BONTE CO., INCORPORATED, LOUISVILLE, KY.

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Supreme Court of the United States

OCTOBER TERM, 1937.

No._____

ALBERT BENJAMIN CHANDLER, INDIVIDUALLY AND AS GOVERNOR OF THE COMMONWEALTH OF KENTUCKY, ET AL., - - - *Petitioners,*

v.

JAMES E. WISE, AND RAY B. MOSS, - - - - - *Respondents.*

BRIEF IN RESPONSE TO PETITION FOR WRIT OF CERTIORARI.

The decision of the Court of Appeals of the Commonwealth of Kentucky, which the petitioners seek to have reviewed by this Court, was based upon a certain interpretation of Article V of the Constitution of the United States, providing the manner in which that instrument may be amended.

There is now pending in this Court a petition for a writ of certiorari in the case (No. 796) of Rollo W. Coleman, *et al.*, petitioners, versus Clarence W.

Miller, as Secretary of the Senate of the State of Kansas, *et al.*, respondents, to review a judgment of the Supreme Court of the State of Kansas, which was based upon an interpretation of Article V of the Constitution of the United States in a sense exactly opposed to the interpretation put upon that Article by the Court of Appeals of Kentucky.

In view of the conflict between these decisions by the highest courts of two States of the Union, of federal questions of substance not heretofore determined by this Court, and of the public importance of a final and conclusive determination by this Court of the constitutional questions involved, we are not disposed to resist petitioners' application for a writ of certiorari in this case.

Respectfully submitted,

LAFON ALLEN,
OLDHAM CLARKE,
Attorneys for Respondents.